

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK

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EVA AGERBRINK,

Plaintiff,

v.

MODEL SERVICE LLC d/b/a MSA Models and  
SUSAN LEVINE, and WILLIAM IVERS,

Defendants.

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Case No. 14 Civ. 7841 (JPO) (JCF)

**DECLARATION OF**  
**EVAN J. SPELFOGEL**

EVAN J. SPELFOGEL, ESQ., under penalty of perjury pursuant to 28 U.S.C. § 1746, declares as follows:

1. I am a member of the firm Epstein Becker Green, P.C., counsel for Defendants Model Service LLC d/b/a MSA Models, Susan Levine and William Ivers (collectively, “Defendants”) in the above-captioned action. I respectfully submit this Declaration in opposition to Plaintiff’s Motion for Partial Summary Judgment and in support of Defendants’ Motion for Summary Judgment.

2. Attached hereto as **Exhibit A** are true and correct copies of excerpts of the deposition transcript of Plaintiff Eva Agerbrink.

3. Attached hereto as **Exhibit B** are true and correct copies of excerpts of the deposition transcript of Defendant Susan Levine.

4. Attached hereto as **Exhibit C** are true and correct copies of excerpts of the deposition transcript of Anthony Higgins.

5. Attached hereto as **Exhibit D** are true and correct copies of excerpts of the deposition transcript of Elizabeth Pinto.

6. Attached hereto as **Exhibit E** are true and correct copies of excerpts of the deposition transcript of Ruby Morales.

7. Attached hereto as **Exhibit F** are true and correct copies of excerpts of the deposition transcript of Maria Guzman.

8. Attached hereto as **Exhibit G** are true and correct copies of excerpts of the deposition transcript of Alyssa Maurino.

9. Attached hereto as **Exhibit H** is a true and correct copy of Eva Agerbrink's resume, bates numbered PLS00000501.

10. Attached hereto as **Exhibit I** is a true and correct copy of an email exchange between Liz Pinto and Eva Agerbrink, bates numbered PLS00000511-00000512.

11. Attached hereto as **Exhibit J** is a true and correct copy bates numbered PLS00000083.

12. Attached hereto as **Exhibit K** is a true and correct copy of PLS00000293.

13. Attached hereto as **Exhibit L** is a true and correct copy of an email exchange between Joanna D'Allura and Liz Pinto, bates numbered MSA003022.

14. Attached hereto as **Exhibit M** is a true and correct copy of an email bates numbered MSA003042.

15. Attached hereto as **Exhibit N** is a true and correct copy of an email bates numbered PLS00000229.

16. Attached hereto as **Exhibit O** is a true and correct copy of an email bates numbered PLS00000367.

17. Attached hereto as **Exhibit P** is a true and correct copy of an email bates numbered PLS00000297.

18. Attached hereto as **Exhibit Q** is a true and correct copy of email bates numbered PLS00000313 and PLS00000324.

19. Attached hereto as **Exhibit R** is a true and correct copy of email and attachment bates numbered PLS00000258-260.

20. Attached hereto as **Exhibit S** is a true and correct copy of email bates numbered PLS00000411.

21. Attached hereto as **Exhibit T** is a true and correct copy of email bates numbered PLS0000371 and PLS00000380.

22. Attached hereto as **Exhibit U** is a true and correct copy of email bates numbered PLS00000416, PLS00000495.

23. Attached hereto as **Exhibit V** is a true and correct copy of email bates numbered MSA0000515.

24. Attached hereto as **Exhibit W** is a true and correct copy of email bates numbered PLS00000540-PLS00000543.

25. Attached hereto as **Exhibit X** is a true and correct copy of email bates numbered PLS00000428.

26. Attached hereto as **Exhibit Y** is a true and correct copy of email bates numbered PLS00000479.

27. Attached hereto as **Exhibit Z** is a true and correct copy of email bates numbered PLS00000395.

28. Attached hereto as **Exhibit AA** is a true and correct copy of email bates numbered PLS00000400.

29. Attached hereto as **Exhibit BB** is a true and correct copy of email bates numbered PLS00000310.

30. Attached hereto as **Exhibit CC** is a true and correct copy of email bates numbered PLS00000287.

31. Attached hereto as **Exhibit DD** is a true and correct copy of email bates numbered PLS00000402, PLS00000405.

32. Attached hereto as **Exhibit EE** is a true and correct copy of email bates numbered PLS00000510.

33. Attached hereto as **Exhibit FF** is a true and correct copy of email bates numbered PLS00000434.

Dated: New York, New York  
September 25, 2017

/s/ EVAN J. SPELFOGEL  
EVAN J. SPELFOGEL